

PRELIMINARY MINUTES

**TOWN OF LUDLOW
BOARD OF SELECTMEN**

REGULAR MEETING

April 4, 2011

BOARD MEMBERS PRESENT:

Howard Barton, Jr., Chairman John Neal (by phone) Brett Sanderson
Douglas Ficken Bruce Schmidt

STAFF PRESENT:

Frank Heald

OTHERS PRESENT:

Donna Allen Robert Miller Charles Swenson
Christian Avard Ralph Pace Terry Thane
Ann Gardner Ted Reeves Mark Thompson
Ethan Gilmour Tim St. Pierre KP Whaley (LPC-TV)
Susan McNeeley

1. Call to Order

- A. Chairman Howard Barton called the meeting to order at 7:30 p.m.
- B. All members present.

2. Annual Board Reorganization

- A. Elect Chair of the Board
 - 1. **Motion by Bruce Schmidt and seconded by Doug Ficken to elect Howard Barton Chair of the board. Motion passed unanimously.**
- B. Elect Vice Chair
 - 1. **Motion by John Neal and seconded by Brett Sanderson to elect Bruce Schmidt as Vice Chair of the board. Motion passed unanimously.**
- C. Elect Clerk of the Board
 - 1. **Motion by Bruce Schmidt and seconded by Doug Ficken to elect Brett Sanderson as Clerk of the board. Motion passed unanimously.**
- D. Appoint Union Negotiation Team Members
 - 1. **Motion by Howard Barton and seconded by Bruce Schmidt to appoint John Neal and Brett Sanderson Union Negotiation team members. Motion passed unanimously.**
- E. Appoint Ludlow Enterprise Fund Committee Members
 - 1. **Motion by Howard Barton and seconded by Brett Sanderson to appoint Bruce Schmidt and Doug Ficken as Enterprise Fund Committee members. Motion passed unanimously.**
- F. Set Day and Time of Regular Meetings and Alternate Meetings
 - 1. **Motion by Brett Sanderson and seconded by John Neal to continue with regular meetings to be held the first Monday of each month at 7:00 p.m. Special meetings, if needed will be held on the third Monday of the month at 7:00 p.m. Motion passed unanimously.**
- G. Appoint Recording Secretary
 - 1. **Motion by Bruce Schmidt and seconded by Brett Sanderson to appoint Lisha Klaiber as secretary. Motion passed unanimously.**
- H. Designate Newspaper of General Circulation

1. **Motion by John Neal and seconded by Brett Sanderson to designate THE VERMONT JOURNAL as newspaper of circulation. Motion passed unanimously.**
 2. Frank Heald said that THE VERMONT JOURNAL had prepared and given to board members a detailed proposal book.
 3. **MOTION by John Neal and seconded by Brett Sanderson to continue using THE RUTLAND HERALD as backup paper. Motion passed unanimously.**
- I. Adopt Roberts Rules of Order
1. Howard Barton advised that the Board would continue to use Roberts Rules of Order for the meetings.
3. **Approve Minutes of Previous Meetings**
- A. Howard Barton advised that the minutes to be approved are from the regular meeting of February 7, 2011.
 - B. **MOTION by Bruce Schmidt and seconded by Doug Ficken to approve the minutes of February 7, 2011 as indicated above. Motion passed unanimously.**
4. **Comments from Citizens**
- A. There were none.
5. **Appoint Town Officers**
- A. Howard Barton advised that there is a list of positions and persons who have applied for those positions. He added that they had received an additional application for the 3-year Recreation Committee position from Julie Ficken.
 - B. John Neal referred to the list of town officers that had been presented. **MOTION by John Neal and seconded by Brett Sanderson to accept the slate of town officers as presented. Motion passed unanimously.**
 - C. Frank Heald said that they need to actively look for a candidate for the Deputy Health Officer position. John Page, current Health Officer would like to resign, but they need someone to become his deputy to learn the position of Health Officer before taking John's place.
 - D. Bruce Schmidt noted that Ethan Gilmour, newly appointed Planning Commission member is present tonight.
6. **Appoint Town Service Officer**
- A. Frank Heald advised that Viola Wynne is willing to accept the position for another term.
 - B. MOTION by Brett Sanderson and seconded by Bruce Schmidt to re-appoint Viola Wynne as Town Service Officer. Motion passed unanimously.
 - C. Paperwork was signed by board members.
7. **Open Bids for Pond Street Bridge (#54)**
- A. Frank Heald advised that Charlie Swenson from Hoyle Tanner – the engineer is present tonight. Frank Heald said that he would like read the bids tonight and then to give them, after opening, to him for review with Mr. Swenson. They would hold a special meeting on Friday, April 8th at 8:00 and make the award at that time. He said that they would need to carefully compare the bids.

Company	Price
Alpine Construction, Schuylerville, NY	\$184,338
Belden Construction, Rutland, VT	\$212,672
B.U.R. Construction, Claremont, NH	\$236,078.50
Cold River Bridges, Walpole, NH	\$178,740
Miller Construction, Windsor, VT	\$147,646.50
Neil H. Daniels, Ascutney, VT	\$144,518
Renaud Brothers, Vernon, VT	\$176,665

- B. Frank Heald noted that Daniels had asked about a Valued Engineered proposal and included one in their package. He has not had a chance to discuss this.
- C. Howard Barton noted that the price for the Valued Engineered proposal is \$123, 373.
- D. Frank Heald said that he would be meeting with Mr. Swenson on Wednesday and Thursday if necessary.

8. **Consider and Approve Finance & Maintenance Agreement for Bridge #25 (Walker) Proposal**

- A. Frank Heald said that he covered this in his memo and was surprised that the Walker Bridge had come up unexpectedly on the state's list and is moved to the 2014 construction time frame. We had asked the voters for funds to do some repairs to the bridge and that was not included in the bid proposal. The project would be a new bridge and they want to take out the center pier. This would be a 90/10 project that would run between \$750,000 and \$1,000,000 and Ludlow's share would be between \$75,000 to \$100,000. The first public meeting to discuss this will be on May 2nd, before the regular Select Board meeting. It will be advertised. We would not have any financial obligation until after we approve the plans. Frank Heald recommended to the board to go forward with this.
- B. Bruce Schmidt asked Frank Heald, for the information of the LPC-TV viewers, to explain where the Walker bridge location.
- C. Frank Heald advised that it is at the east end of the village near the Elm Street/Route 103 intersection.
- D. Frank Heald said that like the Chester bridge work that has been advertised recently, work on the Walker Bridge would mean detouring traffic as the existing bridge would be out of service.
- E. Bruce Schmidt asked how long the bridge would be out.
- F. Frank Heald said that is a question to ask at the public meeting next month.
- G. **MOTION by John Neal and seconded by Bruce Schmidt to enter into the Finance & Maintenance Agreement for Bridge #25 (Walker) as proposed. Motion passed unanimously.**

9. **Board of Listers Update RE: Mountain District Reappraisal**

- A. Terry Thane said that he had received an email from Bill Krajeski and he given copies of it to board members. He said the bills went in today and that Bill Krajeski is on schedule and expects to be done by the end of April, with notices going out in early May.

10. **FOLA Equipment Presentation**

- A. Frank Heald said that in addition to the gifts in the packages (projection equipment); FOLA has also provided and installed window shades in matching colors.
- B. Bruce Schmidt asked who is responsible for the equipment.
- C. Frank Heald said Pam, Ralph and I are, and the major part of the equipment is locked in the mezzanine.
- D. Bruce Schmidt suggested that a letter be sent to FOLA thanking them for their work. This is a great addition to the town and is really appreciated.
- E. Ralph Pace requested that a letter also be sent to David Giancola who helped FOLA locate this equipment, helped install it and trained out people. He did a tremendous job and is still advising us. He added that the equipment is worth about \$30,000 and the work that David did for us was worth about \$20,000. We got it all for \$7,500 and paid for it with donations and FOLA memberships.
- F. Howard Barton asked if it is new equipment.
- G. Ralph Pace said no. It was purchased from a major advertising company that replaced their equipment. This type of equipment is not normally found in businesses. We also got a lens and extra lamp.
- H. Board members thanked Ralph Pace for the work done by FOLA and Ralph.
- I. Frank Heald complimented Ralph Pace on the event held at the auditorium last Saturday that not only broke even, but made money.

11. **Liquor Control Board**

- A. Frank Heald advised that the packets are complete.
- B. John Neal asked if anything was outstanding.
- C. Frank Heald said they should not consider Frank's Tavern in this vote.

- D. Bruce Schmidt requested that they separate out all Okemo businesses on the list and vote on them separately.
- E. Frank Heald said this was for tobacco as well as liquor.
- F. The following is a list of non-Okemo 2011 Liquor License Renewal Applications:

<u>Applicant</u>	<u>Business Name</u>
American Legion Ballard Hobard Post #36	Same
Aminah & Rayhan, LLC	Ludlow Shell
AMS	Wicked Good Pizza
Barrich Corporation	Pot Belly Pub
Bella Luna Ristorante, Inc.	Bella Luna Ristorante
Brewfest Beverage Company	Same
Brockton Corporation	Shaw's Beer and Wine
Bueller's Inc.	Tuckernuck Shoals
Cool Moose Café, Inc.	Same
Cumberland Farms of Vermont, Inc.	Cumberland Farms #8015
Gaignard, Richard C	D.J.'s Restaurant
Good Times Ludlow LLC	Ludlow Country Store
Goodfellas Petroleum	Goodfellas Petroleum, Inc.
JC Kubec, Inc.	The Governor's Inn
KMS Inc.	The Hatchery
L V P Inc.	Ludlow Village Pizza
Maxi Green Inc.	
Midway Oil Corporation	Ludlow Mobil
MWTGS, Inc.	Andre Rose Inn
Moon Calhoun LLC	Downtown Grocery
Outback of Ludlow, LLC	Same
Rose Douglas and Ann	Rose Douglas and Ann
Sam's Steakhouse, Inc.	Sam's Steakhouse
Stuart, Leslie Pearson	The Wine and Cheese Depot
TBK Inc.	Tom's Loft Tavern
Vermont Irish Pub LLC	The Killarney
Wallace Joseph Corporation	Panarello's
Windrush Investments LLC	Tyson Village Store

- G. **MOTION by Bruce Schmidt and seconded by Brett Sanderson to approve liquor/tobacco license renewals as listed above. Motion passed unanimously.**

H. Bruce Schmidt recused himself from voting on the Okemo businesses.

- I. Listed below are the Okemo owned businesses.

<u>Applicant</u>	<u>Business Name</u>
Okemo Limited Liability Co.	EPIC
	Willie Dunn's Grille
	Sitting Bull Lounge-Base Lodge
	Vermont Pizza at Okemo
	Sky Bar
	Jackson Gore Inn
	Corner Store at Jackson Gore

- J. **MOTION by Brett Sanderson and seconded by Doug Ficken to approve renewals for Okemo Limited Liability Co. Motion passed. Bruce Schmidt abstained.**

K. Board members signed liquor licenses.

12. **Consider & Adopt Minor Revisions to the Town Road and Bridge Standards**

- A. Frank Heald advised that as of January 4, 2011, the state adopted updated road standards. In order for Ludlow to receive any structures money, we need to have an ongoing bridge and culvert inventory and certify that they are being maintained. Town standards must be equal or better than state standards. Frank Heald provided board members with a draft for revised town of Ludlow Town Road and Bridge Standards. He said that he highlighted items that changes from previous revisions. There were changes to the sections pertaining to DITCHES, and GUARDRAILS. The changes to the DITCHES section are to reduce silt runoff in newly constructed areas. The highlighted areas are the only changes that we have to make to our standards in order to comply with state standards.
- B. Howard Barton asked if road cuts have changes.

- C. Frank Heald said that ours have not. He added that there are also changes to the last bullet on page 3. The revised standard is for 15 inches of approved bank run gravel with no stone larger than 9 inches. The previous was 15 and 8. Frank Heald said that he recommends adopting the revised standards.
- D. **MOTION by John Neal and seconded by Brett Sanderson to approve and adopt the revised Town of Ludlow Town Road and Bridge Standards. Motion passed unanimously.**

13. **Re-Adopt Basic Emergency Operations Plan (BEOP)**

- A. Frank Heald advised that this is basically the same as in prior years, except that he added an Emergency Shelter that will be the Community Center. It would be a great place, has showers and cooking facilities.
- B. **MOTION by John Neal and seconded by Doug Ficken to re-adopt the Basic Emergency Operations Plan as presented. Motion passed unanimously.**

14. **Department Head Reports**

- A. Howard Barton advised that all reports are in. There were no comments.

15. **Other Business**

- A. **LPC-TV Rental Status**
 - 1. Howard Barton asked for the status of the LPC efforts for the Tank Barn.
 - 2. Frank Heald said they are in the midst of a major fund raising effort and looking toward late spring or summer. He added that Black River Good Neighbors is very close to giving cash contribution to bring down their portion to reduce the bond.
 - 3. Bruce Schmidt asked about an agreement between LPC and LES for space.
 - 4. Doug Ficken said there is a new yearly lease that includes a 30 or 60 day opt out clause so that they can get out when they are ready to move.
- B. **Wireless Communication Facility**
 - 1. Frank Heald advised that is an application for a facility located on Slawson Road in Weston, but located near a Ludlow property. He does not know for sure if this was approved. He advised that AT&T is close to completing a town in Mount Holly that would complete the loop down Route 103. He thinks that this one is approved.
 - 2. Bruce Schmidt said that he would not be able to make that meeting as his son is being confirmed.
- C. **Dorsey Fields**
 - 1. Bruce Schmidt asked if anything could be done to get the fields open for softball and baseball. In the past we have blown off the snow.
 - 2. Frank Heald said there had been some controversy over taking machinery in there.
 - 3. Brett Sanderson said that taking equipment in there could mess up the drainage.
 - 4. Bruce Schmidt said that the problems with the drainage at Dorsey were not caused by the equipment.
 - 5. John Neal suggested a lighter snow blower with rubber tires.
 - 6. Frank Heald said they used the trackless in the past.
 - 7. Bruce Schmidt said he has not heard of any problems caused by cleaning off the fields in the past.
 - 8. Frank Heald said they could probably blow off the infields with the little machine.
 - 9. John Neal suggested that they do whatever would be possible with as much care as possible.
- D. **Pledge of Allegiance**
 - 1. Doug Ficken noted that the only time the pledge is recited is at the annual Town meeting and he would like to know why it is not done at every meeting. He thinks it would be a good thing to do.
 - 2. Board members said it would be something to consider.
- E. **Senior Center and Superintendent's Office**
 - 1. Doug Ficken asked where we stand with the smells in the building.
 - 2. Frank Heald said that we have done internal testing and found nothing of significance. He said that his sense is that we should have someone come in to do testing.

3. Doug Ficken said that the kitchen stinks.
4. Frank Heald said that it has been pretty much the same for the last 8 years. He will look at it tomorrow. He said that he found someone from Springfield who does Environmental Testing. He added that Kevin and Eugene went through the building on Friday and found nothing. He said that a couple of weeks ago there was a minor propane leak, but there was no reading. There is no apparent cause.
5. Howard Barton asked whose meter was used.
6. Frank Heald said Loran Greenslet's. He said that they aired out the place, but need a more professional group to come in. He does not know what the problem is.

16. **Set Date for May Meeting**

- A. Howard Barton noted that the date for the next regularly scheduled meeting is May 2, 2011.

17. **Sign Warrant Orders**

- A. Warrant orders have been signed.

18. **Adjourn**

- A. **MOTION by Doug Ficken and seconded by Brett Sanderson to adjourn. Motion passed unanimously.**
- B. Meeting adjourned at 8:52 p.m.

Respectfully submitted,

Lisha Klaiber

Howard Barton, Jr., Chairman

Brett Sanderson

Doug Ficken

Bruce Schmidt

John Neal